

## UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

ALAA ISMAIL YASIN

Case No. 6:15-mj-1728

FILED

JUL 1 2015

US DISTRICT COURT, EDNC  
BY: [Signature] LAW CLK

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 2, 2013 in the county of Wake in the  
Eastern District of North Carolina, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1015(a)

Knowingly making a false statement under oath in a matter relating to the  
registry of aliens

This criminal complaint is based on these facts:

Refer to attached Affidavit.

☒ Continued on the attached sheet.[Signature]  
Complainant's signatureTerry Bell Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date:

1 JULY 2015

[Signature]  
Judge's signature

City and state:

Raleigh, North Carolina

JAMES E. GATES, United States Magistrate Judge

Printed name and title

## **AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Tony Bell, having been duly sworn, hereby depose and say:

1. I am a Special Agent with the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). I have been a Special Agent for approximately twelve years and have completed the Criminal Investigator's Training Program held at the Federal Law Enforcement Training Center, Glynco, GA. I am currently assigned as a Special Agent to the HSI Resident Agent-in-Charge (RAC) Raleigh Field Office and my duties include investigating violations of Titles 8, 18, 19, and 21 of the United States Code (USC).
2. This affidavit is based upon information supplied to me by other law enforcement officers, federal agents, reviewing law enforcement reports, surveillance, and personal involvement in the investigation. This affidavit does not set forth all information known to me or HSI about this case and is being submitted for the purpose of providing sufficient information to establish probable cause for an arrest warrant for Alaa Ismail YASIN for knowingly making a false statement under oath in a matter relating to the registry of aliens in violation of 18 USC 1015(a).

### **Background**

3. On May 18, 2013, YASIN, a national of Palestine, was admitted into the United States as a Nonimmigrant visitor for pleasure (B-2) valid for a period not to exceed November 17, 2013. YASIN flew into Chicago IL on Royal Jordanian Flight #263 from Jerusalem, Israel.
4. On October 2, 2013, YASIN filed an Application to Extend/Change Nonimmigrant Status (Form I-539) which he signed under penalty of perjury. The

signature date is September 19, 2013. In this application YASIN requested a change in his nonimmigrant visa status to F-1, International Student, in order to attend Wake Technical Community College (WTCC). YASIN listed his address as: 1116 Brucemont Dr., Garner, NC, 27529, within the Eastern District of North Carolina. In Part 4 of the application, YASIN made the following statement in response to a question asking him to describe how he was supporting himself:

I live in my uncle's house and he is responsible to support me starting from free room in his hous[e], a car, tuition fees for my college and all other expenses.

5. YASIN submitted with his I-539 change of nonimmigrant status application an Affidavit of Financial Support by his uncle, Jehad Jenajra. The affidavit listed Jenajra's address as 1116 Brucement Dr., Garner, NC, 27529.
6. On February 7, 2014, US Citizenship and Immigration Services (CIS) issued a notice to YASIN that his I-539 change in nonimmigrant status application had been denied for failure to provide proof of sufficient funds for his course of study over a twelve month period.
7. On March 11, 2014, YASIN filed a Notice of Appeal or Motion (I-290B) to re-open and reconsider his I-539 change of nonimmigrant status application with additional information regarding his source of financial support. YASIN again listed his address as: 1116 Brucemont Dr., Garner, NC 27529.
8. On July 10, 2014, YASIN's appeal/motion to re-open the I-539 change of nonimmigrant status was granted.

9. On September 2, 2014, YASIN's I-539 change of nonimmigrant status was granted, changing his status from a visitor for pleasure to foreign international student to attend Wake Technical Community College

**Investigative Activity**

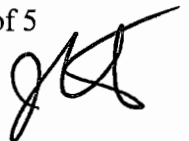
10. On March 19, 2015, your Affiant and other agents conducted an interview with YASIN, at his residence located at 1503 Harth Drive, Apartment B, in Garner, NC within the Eastern District of North Carolina. This residence was different from the address that YASIN provided on his I-539 and I-290B applications. YASIN initially stated that he had lived in the Harth Drive apartment for over one year. YASIN later stated that he had essentially lived in the Harth Drive apartment since he arrived in the U.S. YASIN stated that he originally travelled to Ohio to see his brother graduate from college and that he decided to stay in the U.S. with his uncle so that he could go to school in the U.S.

11. YASIN stated that he was paying \$800 a month in rent and that he used to have a roommate that split the rent with but the roommate returned to Palestine. YASIN stated that his father in Palestine was not poor and that his father sends him money whenever travelers come to the US from Palestine. YASIN stated that his father pays for his bills and for school and that he does not work because he is not allowed to work. YASIN stated that he occasionally helps his uncle at his pizza restaurant, Coppollas Pizza in Garner, NC, but that he does not get paid by his uncle.

12. On May 7, 2015, your Affiant and an FBI Agent conducted a telephonic interview with the current landlord at 1503 Harth Drive, Garner, NC, 27529. The landlord stated that YASIN had been on the lease for Apartment B since July 2013. The landlord later provided agents with a copy of the lease. The lease lists YASIN and his uncle, Jehad

Janajra, and is effective from July 19, 2013 until July 31, 2014. The landlord stated that YASIN was on a month to month agreement with her up until she had him sign a new lease in April 2015.


13. On June 30, 2015, HSI and FBI Agents located YASIN at his place of employment. YASIN was working out of status at his uncle's business, Cappolla's Pizza & Grill in Garner, NC. YASIN was taken into HSI custody and transported to the RAC Raleigh office for immigration processing.

A handwritten signature in black ink, appearing to be 'JH' or similar, located at the bottom right of the page.

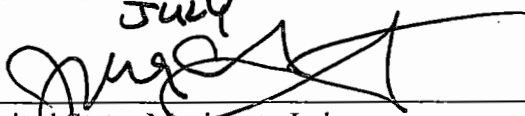
**Conclusion**

14. YASIN knowingly made a false statement under oath in his I-539 nonimmigrant change of status application that he was residing with his uncle at 1116 Brucemont Drive in Garner, NC, when in fact, as he then knew, he was residing at a rental property, 1503 Harth Drive, Apartment B, in Garner.

15. Accordingly, there is probable cause to believe that on October 2, 2013, Alaa I. YASIN did, in his I-539 nonimmigrant change of status application, knowingly make a false statement under oath in a matter relating to the registry of aliens in violation of Title 18, United States Code, Section 1015(a).

  
\_\_\_\_\_  
Tony Bell  
Special Agent  
Immigration and Customs Enforcement  
Homeland Security Investigations

Subscribed and sworn to before me this  
1 day of ~~June~~ <sup>July</sup>, 2015

  
\_\_\_\_\_  
United States Magistrate Judge